

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

511 NASAL COMPOSITIONS CONTAINING VITAMIN B₁₂

the specification of which (check one)

☒ is attached hereto.

☐ was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

PRIORITY CLAIMED

☐ ☐
Yes No

(Number) (Country) (Day/Month/Year)

(Number) (Country) (Day/Month/Year)

☐

Yes

☐

No

(Number) (Country) (Day/Month/Year)

☐

Yes

☐

No

(Number) (Country) (Day/Month/Year)

☐

Yes

☐

No

(Number) (Country) (Day/Month/Year)

☐

Yes

☐

No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| (Application Serial No.) | (Filing Date) | (Status) | (Patented, pending, abandoned) |
|--------------------------|---------------|----------|--------------------------------|
|--------------------------|---------------|----------|--------------------------------|

| (Application Serial No.) | (Filing Date) | (Status) | (Patented, pending, abandoned) |
|--------------------------|---------------|----------|--------------------------------|
|--------------------------|---------------|----------|--------------------------------|

And I hereby appoint:

301
Henry T. Burke, Reg. No. 18975; Guy W. Shoup, Reg. No. 26805;
Robert Scobey, Reg. No. 19838; James W. Badie, Reg. No. 20968;
Gerard F. Dunne, Reg. No. 27286; Eliot S. Gerber, Reg. No. 18115;
Thomas O'Rourke, Reg. No. 27765; Douglas W. Wyatt, Reg. No. 21041;
of 261 Madison Avenue, New York, NY 10016, (Tel: 212-687-0911)

60/HENRY T. BURKE, REG. NO. 18975

261 MADISON AVENUE - 27th FLOOR

NEW YORK, NEW YORK 10016

TEL: (212) 687-0911

my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:

Jeffrey Wenig

Full name of second inventor, if any:

Inventor's signature:

Jeffrey Wenig

Inventor's signature:

Date:

4/1/86

Date:

Citizenship: USA

Citizenship:

Residence:

Residence:

9 Dickens Avenue

Dix Hills, New York 11746

Post Office Address:

Post Office Address:

SAME AS ABOVE

Applicant or Patentee: Dr. Jeffrey Wenig Docket: 170074
Serial or Patent No.: Not Yet Assigned
Filed or Issued: Filed Herewith
For: "NASAL COMPOSITIONS CONTAINING VITAMIN B₁₂"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- () the owner of the small business concern identified below:
() an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Dr. Jeffrey Wenig
ADDRESS OF CONCERN 9 Dickens Avenue
Dix Hills, NY 11746

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: NASAL COMPOSTIONS CONTAINING VITAMIN B₁₂

by inventor(s)
Dr. Jeffrey Wenig
described in

- (X) the specification filed herewith
() application serial no. _____, filed _____
() patent no. _____, issued _____

- If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. Jeffrey Wenig
TITLE OF PERSON OTHER THAN OWNER _____
ADDRESS OF PERSON SIGNING Same as above

TURE

DATE

Applicant or Patentee: Dr. Jeffrey Wenig Docket: 17864A
Serial or Patent No.: Not Yet Assigned
Filed or Issued: Filed Herewith **8690**
For: "NASAL COMPOSITIONS CONTAINING VITAMIN B₁₂"



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(3) CFR 1.9(f) and 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
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I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: NASAL COMPOSITIONS CONTAINING VITAMIN B₁₂

Dr. Jeffrey Wenig by inventor(s)
described in

- ☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

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ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

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NAME OF PERSON SIGNING Dr. Jeffrey Wenig
TITLE OF PERSON OTHER THAN OWNER _____
ADDRESS OF PERSON SIGNING Same as above

SIGNATURE Jeffrey Wenig 20 DATE 4/1/86

In consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, I (we), the undersigned, Dr. Jeffrey Wenig
9 Dickens Avenue
Dix Hills, New York 11746

Hereby sell, assign and transfer to Nastech Pharmaceutical Co., Inc.
a corporation of the State of Delaware
having a place of business at
800 Veterans Memorial Highway, Hauppauge, NY 11788

its successors, assigns and legal representatives, the entire right, title and interest in the United States in and to any and all improvements which are disclosed and claimed, and as possessed by the undersigned, any and all improvements which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on and which is entitled NASAL COMPOSITIONS
CONTAINING VITAMIN B₁₂

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed on any of said improvements disclosed in said application; and in and to all original and reissued patents which have been or shall be issued on said improvements;

Authorize and request the Commissioner of Patents to issue to said Assignee, the corporation above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said improvements or any of them, disclosed in said application.

Agree that when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns or representatives, all facts known to the undersigned, relating to said improvements and the history thereof; testify in all legal proceedings, and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said improvements and for vesting title to said improvements, in said Assignee, its successors, assigns and legal representatives, and

Covenant with said Assignee, its successors, assigns or legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Signed Dr. Jeffrey Wenig
 Date: _____
 Witness: _____

Signed _____
 Date: _____
 Witness: _____

Signed _____
 Date: _____
 Witness: _____

Signed _____
 Date: _____
 Witness: _____

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

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PRIOR FOREIGN APPLICATION(S)

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(Number) (Country) (Day/Month/Year)

☐

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No

(Number) (Country) (Day/Month/Year)

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Yes

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No

(Number) (Country) (Day/Month/Year)

☐

Yes

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(Number) (Country) (Day/Month/Year)

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Yes

☐

No

(Number) (Country) (Day/Month/Year)

☐

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(Application Serial No.) (Filing Date) (Status) (Patented, pending, abandoned)

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And I hereby appoint:

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Full name of sole or first inventor:

Jeffrey Wenig

Inventor's signature:

Date:

Citizenship: USA

Residence:

9 Dickens Avenue

Dix Hills, New York 11746

Post Office Address:

SAME AS ABOVE

Full name of second inventor, if any:

Inventor's signature:

Date:

Citizenship:

Residence:

Post Office Address: